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March 9, 2017

VIA ECF

Honorable Steven I. Locke
United States Magistrate Judge
United States Courthouse
944 Federal Plaza
Central Islip, NY 11722

Re: *Aaron Cohen v. Ditech Financial LLC, et al.*
Case No.: 2:15-CV-6828 (Eastern District of New York)

Dear Judge Locke:

Pursuant to Your Honor's Scheduling Order [Doc. 16], the parties Aaron Cohen ("Cohen"), Ditech Financial, LLC ("Ditech"), and Rosicki Rosicki & Associates P.C. ("Rosicki") are to submit a joint proposed pretrial order three (3) business days prior the scheduled pretrial conference which is currently scheduled for March 23, 2017. The parties are requesting the Court to convert the pretrial conference into a status conference and allow the parties to submit a status report to the Court in the stead of the proposed pretrial order. The basis for the request is as follows:

There are two dispositive motions to dismiss (the "Motions") filed by both Defendants that remain pending before the Court. The Motions are fully briefed and have been pending since May 20, 2016 [ECF 24-33]. As there are two dispositive motions pending, the parties are unsure as to whether the matter is at issue for trial. Specifically, the Court will either grant the Motions making further litigation moot or deny the Motions directing Defendants to submit their respective answers to the Complaint.

We thank you again for your continued consideration of this matter.

Respectfully submitted,

/s/ Adam Hartley
Adam Hartley
Counsel for Ditech

/s/ Carol Lastorino
Carol Lastorino, Esq.
Counsel for Rosicki

/s/ Shimshon Wexler
Shimshon Wexler, Esq.
Attorneys for Cohen